

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SEAN RODNEY ORTH,
Plaintiff,

v.

DENNIS BALAAM, *et al.*,
Defendants.

3:06-cv-00481-LRH-RAM

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Robert A. McQuaid, Jr. (#190¹) entered on February 4, 2011, recommending granting the Motion for Summary Judgment filed by Defendants Harmon, Keller, Lever and Thomas (collectively “Reno Defendants”) (#150) filed June 23, 2010, granting the Motion for Summary Judgment filed by Defendants Washoe County Sheriff’s Department, Balaam, Genio and Boxx (collectively “Washoe County Defendants”) (#152) filed June 24, 2010, and denying Plaintiff’s Motion for Summary Judgment (#179) filed October 18, 2010. The Report and Recommendation further recommends that the District Judge enter an order dismissing Plaintiff’s remaining state law claims for false arrest (Count 7), malicious prosecution (Count 7) and false imprisonment (Count 8), without prejudice.

Plaintiff filed his Objections to Report and Recommendation by U.S. Magistrate McQuaid

¹Refers to court’s docket number.

1 (#193) on March 21, 2011, Reno Defendants filed their Response to Plaintiff's Objections to Report
2 and Recommendation of U.S. Magistrate Judge (#197) on April 7, 2011, and Washoe County
3 Defendants filed their Response to Plaintiff's Objections to Report and Recommendation of U.S.
4 Magistrate Judge (#195) on April 5, 2011. The action was referred to the Magistrate Judge pursuant
5 to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District
6 Court for the District of Nevada.

7 The Court has conducted its *de novo* review in this case, has fully considered the objections of
8 the Plaintiff, the responses of the Defendants, the pleadings and memoranda of the parties and other
9 relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court
10 determines that the Magistrate Judge's Report and Recommendation (#190) entered on February 4,
11 2011, should be adopted and accepted.

12 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
13 (#190) entered on February 4, 2011, is adopted and accepted, and the Motion for Summary Judgment
14 filed by Reno Defendants (#150) is GRANTED, the Motion for Summary Judgment filed by Washoe
15 County Defendants (#152) is GRANTED, and Plaintiff's Motion for Summary Judgment (#179) is
16 DENIED.

17 IT IS FURTHER ORDERED that Plaintiff's remaining state law claims for false arrest (Count
18 7), malicious prosecution (Count 7) and false imprisonment (Count 8), are DISMISSED, without
19 prejudice.

20 IT IS SO ORDERED.

21 DATED this 22nd day of April, 2011.

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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE